

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BOZZUTO'S, INC.,

Plaintiff,

-against-

WILLIAM PECK & SON, INC., et al.,

Defendants.

25-CV-3128 (JGLC)

ORDER

JESSICA G. L. CLARKE, United States District Judge:

Plaintiff filed this breach of contract action on April 15, 2025. ECF No. 1. Plaintiff served Defendants in April and May 2025, which therefore required Defendants to file an answer or other responsive pleading by June 2, 2025 at the latest. ECF Nos. 18–20. None of the Defendants have appeared in this action, and as a result, Plaintiff sought, and received, certificates of default as to each Defendant. ECF Nos. 27, 32–33. Plaintiff also filed an affidavit of service indicating it had served Defendants with the certificates of default and initial pre-trial conference order on June 4, 2025. ECF No. 34.

While Plaintiff has obtained and served the default certificates, that alone does not entitle it to relief. Plaintiff must file a default judgment motion in accordance with Rule 55(b)(2) and Local Rule 55.2. Assuming Plaintiff intends to make this application, Plaintiff shall make any such motion on or before **July 14, 2025**. Failure to do so may result in this action being dismissed for a failure to prosecute. In addition, the initial pre-trial conference (and the parties' deadline to file a joint letter and proposed case management plan and scheduling order, *see* ECF No. 17) currently scheduled for August 21, 2025 is HEREBY ADJOURNED *sine die*. The Court will reschedule the conference

should any of the Defendants enter an appearance.

Dated: June 26, 2025
New York, New York

SO ORDERED.

A handwritten signature in blue ink that reads "Jessica Clarke". The signature is written in a cursive style and is positioned above a horizontal line.

JESSICA G. L. CLARKE
United States District Judge